

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.60.010(I) and 18.100.092(A) to be consistent with the State Department Of Environmental Conservation (DEC) on-site wastewater regulations.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Subsection 18.60.010(I). Subsection 18.60.010(I) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.60.010 General approval criteria.

I. Utilities. The proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities prior to being occupied. The borough may require a letter of commitment from a utility company or public agency legally committing it to serve the development if such service is required. If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. The borough may require any or all parts of such installation to be oversized, however the additional cost beyond the size needed for the development will be borne by the borough.

When, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of the property, the developer may request an exemption from the requirements to connect to these public utilities. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a developer must provide ~~written~~ Department of Environmental Conservation (DEC) approval of the ~~on-site wastewater system design~~ **plans drawn by an engineer licensed in the State of Alaska or a state certified septic system installer** prior to permit approval. Upon installation and before closure, the wastewater disposal system must be inspected and approved by a ~~DEC approved inspector~~ **an engineer licensed in the State of Alaska or a state certified septic system installer**.

When public sanitary sewer and/or water service becomes available, the developer will be required to connect to the public utility within six months.

Section 5. Amendment of Subsection 18.100.092(A0). Subsection 18.100.092(A) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.100.092 Requirements prior to final plat approval


A. Utilities.

1. Water and Sewer. The subdivider, at the subdivider's own expense and prior to final plat approval, in accordance with the approved preliminary plat, shall construct, per borough specifications, all water and sewer utilities to service each lot individually within the subdivision to be created. The subdivider may elect to provide performance and payment bonding as allowed in HBC 18.100.125 in order to have authorization to proceed to a final plat procedure.

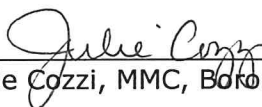
2. When, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of any exterior property line of a new subdivision in which all lots are one acre or larger in area, the developer may request an exemption from the requirements to connect to public utilities. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a plat note must be placed on the plat stating that public water and/or sewer are not available to the subdivision and that all future property owners in the subdivision must provide ~~written Department of Environmental Conservation (DEC) approval of their on-site wastewater system design~~ **plans drawn by an engineer licensed in the State of Alaska or a state certified septic system installer** prior to a land use permit being issued. Upon installation and before closure, the wastewater disposal system must be inspected and approved by a ~~DEC approved inspector~~ **an engineer licensed in the State of Alaska or a state certified septic system installer.**

When public sanitary sewer and/or water service becomes available, property owners will be required to connect to the public utility within six months.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 10th DAY OF NOVEMBER, 2015.


Janice Hill, Mayor

ATTEST:


Julie Cozzi, MMC, Borough Clerk

Date Introduced: 10/13/15
Date of First Public Hearing: 10/27/15
Date of Second Public Hearing: 11/10/15 - Adopted

